

**BOARD OF HEALTH  
Meeting Minutes  
February 13, 2013  
Memorial Town Hall**

**MEMBERS PRESENT:** Mark Johnson, Mary Ricker, Bruce Penino

**OTHERS PRESENT:** Andrea Crete, Board of Health Agent  
Karyn Johnson, WDPH

M. Johnson called the Board of Health Meeting to order at 4:05 PM

**TOBACCO CONTROL REGULATIONS:**

**SAMPLE REGULATION RESTRICTING THE SALE OF TOBACCO  
PRODUCTS AND NICOTINE DELIVERY PRODUCTS**

**Policy Checklist for BOHs**

1. Expand regulation to include nicotine delivery products YES NO
2. Include cessation sign requirement (§D.2.b) YES NO
3. Include sign requirements for nicotine delivery products (§D.2.c) YES NO
4. Permit includes complying with MA DoR minimum pricing (E.10) YES NO
5. No permit renewal if outstanding fines exist (§E.11) YES NO
6. Cap and/or reduce number of permits (§E.12) YES NO  
Millbury considering
7. Include minimum cigar package size/price (§F) YES NO  
Millbury considering
8. Ban blunt wraps (§G) YES NO  
Boston / Worcester have done. Millbury and West Boylston considering
9. Ban redemption of coupons (§H) YES NO
10. Ban self-service displays (§J) YES NO (FDA/AG limits)
11. Ban vending machines (§K) YES NO (FDA/AG limits)
12. Ban commercial RYO machines (§L) YES NO
13. Limit commercial RYO machines to behind counter (alternate §L) YES NO  
Delete If you include #12, you don't need #13
14. Ban tobacco sales in health care institutions (§M) YES NO  
Worcester and Oxford have done this. West Boylston is considering. Over 45 municipalities in state have done this, without any issue or push back from pharmacies.
15. Ban tobacco sales in educational institutions (§N) YES NO  
Worcester did this.
16. Fining structure mirrors state law (§O) YES NO (higher)
17. Tolling period for violations (§O.1.b and c) 24 months 36 months
18. "Shall" vs. "May" language for suspensions SHALL / MAY  
(3 instances found in §§ O.1.b, O.1.c and O.4)
19. Ban hookah / cigar bars (ETS) YES NO  
Delete

In reference to # 17 – to be included:

- 1<sup>st</sup> Offense within the 36 month period - \$100 fine and mandatory to attend a Board of Health meeting.
- 2<sup>nd</sup> Offense within the 36 month period - \$200 fine and seven (7) day suspension of permit to sell.
- 3<sup>rd</sup> Offense within the 36 month period - \$300 fine and 30 days suspension of permit to sell.
- 4<sup>th</sup> Offense within the 36 month period – Loss of permit to sell.

The Board of Health members agreed on Items 1 – 18, agreeing on a yes or no, and what they want included in the new tobacco regulations.

#19 will be revisited at a future meeting, as this pertains to the smoke free workplace regulations and are not included in the ‘tobacco regulations’.

Karyn Johnson will put it together in draft form for the Board to see all the language.

*Note: Documents presented during review can be viewed at the Board of Health Office.*

**OTHER BUSINESS:** None

**AGENTS REPORT:** None

**NEXT MEETING:** To be determined.

M. Johnson motioned to adjourn the Board of Health meeting. M. Ricker seconded. All in favor.

**Meeting Adjourned at 5:25 PM**

February 13, 2013 minutes approved March 12, 2013

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Andrea Crete, Board of Health Agent